

Minutes



Planning and Zoning Commission Regular Session

Council Chamber
101 W. Abram St.

**October 19, 2011
5:30 P.M.**

The Planning and Zoning Commission of the City of Arlington, Texas, convened in Regular Session on October 19, 2011, at 5:30 p.m. in the Council Chamber at City Hall, 101 West Abram Street, with the meeting being open to the public and notice of said meeting, giving the date, place and subject thereof, having been posted as prescribed by V.T.C.A., Government Code, Chapter 551, with the following members present, to-wit:

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| Kevin McGlaun | * | Chair |
| Clete McAlister | * | |
| Maurice Barksdale | * | |
| Brandon Hill | * | |
| Vera McKissic | * | Commissioners |
| Charla Hawkes Vinyard | * | |
| Suzanne Key | * | |
| Larry Fowler | * | |
| Samuel Smith, III | * | |
| Jim Parajon | * | Director, Community Development and Planning |
| Gincy Thoppil | * | Planning Manager, Community Development and Planning |
| Mack Reinwand | * | Assistant City Attorney |

- I. Called to order at 5:37 p.m.
- II. Pledge was led by Commissioner Smith.
- III. Minutes of October 5, 2011, P&Z Regular Session were approved with one correction.

IV. PLAT CONSENT AGENDA AND PUBLIC HEARING FOR PLATS

- A. Preliminary Plat-Fannin Farm West Addition-Phase III, Section D (Zoned R and R1); generally located north and south of Eden Road and east of South Bowen Road with the approximate addresses of 6498 South Cooper Street and 2400 Kuykendall Drive

Present to go on record in support of this case was Jim Nichols, Di Scullo, Terry, Stanton and Associates, 401 West Abram Street Suite A.

- B. Replat-Valley View Neighborhood Park Addition, Lot 1, Block 1, (Zoned R); generally located south of East Mitchell Street and

west of Browning Drive with the approximate addresses of 1428 Cardinal Street; 906, 908, and 910 Highland Drive; and 1509 and 1513 Raines Street

- C. Replat-David Russell Addition, Lot 8R1-8R3 (Zoned VG-A and VG-B); generally located north of Express Street and west of U.S. 287 Highway with the approximate address of 4031 Express Street

Present to speak in support of this case was Charles Clawson, 6219 Lakeridge Road. He stated that he is there to report to the Commission on two items. He mentioned that during the hearing process for the zoning, the Commission had requested that they add additional landscaping. He said that they have met those requirements and the dirt that was piled up on the back of the property has been smoothed and claimed, too.

Brandon Hill made a motion to approve the Plat Consent Agenda. Seconded by Samuel Smith, III, the motion carried with a vote of 9-0-0.

Consent Agenda for Plats APPROVED

V. PUBLIC HEARING FOR ZONING CASES

- A. Zoning Case PD11-7
(QuikTrip 876-1319 and 1425 North Cooper Street, and 600 West Road to Six Flags)

Application to change the zoning on approximately 5.149 acres from Office (O), Community Service (CS), Multi-family (MF-18) to Planned Development-Community Service (PD-CS) with exclusions, with final development plan approval; generally located south of West Road to Six Flags Street and east of North Cooper Street.

Douglas Cooper, Graduate Planner/Development, presented this case. He stated that the City recommended that they redevelop the property as a unified development because it is a significant corner. He mentioned that by unified development, they are referring to the physical elements and how they function together. He said that the specific elements are the pedestrian connections, vehicular circulation, building design, landscaping, parking, and fencing and screening. He stated that the City believes the development could be improved by incorporating the following recommendations: In terms of vehicular circulation, there are multiple points of conflict on the car wash side and those could result in confusion for drivers and could create a hazardous situation for drivers and the City cannot support the circulation due to safety concerns. In regards to fencing and screening, the applicant is currently proposing two different types of screening fences, an eight-foot, double-sided wood fence and an eight-foot masonry wall; however, the City recommends an eight-foot masonry wall along the entire eastern boundary in order to try to tie the site together to create the overall identity in the unified development. The proposed landscaping for Tract 4, which is to remain undeveloped, the applicant is providing the transitional buffer on the eastern boundary line and the one tree per 600 square feet; additionally providing a 20-foot landscape setback with combination of shrubs and ground cover and an additional ten crepe myrtles and 198 needle-point hollies internal to the site; however, the applicant is not proposing to install any of the street trees in the setback in order to increase visibility for the gas canopy. Staff feels that these trees are important to the development and help create a more pedestrian-friendly environment and contribute to the overall attractiveness of the development and it's a City requirement and feel that the applicant should adhere to the standard. Finally, in regards to the building elevations, the convenience store and car wash are consistent

with their corporate identities as far as color and building orientation; however, the City recommends that they revise the elevations between the two buildings to employ more distinct design features that will strengthen the developments' overall identity. In regards to signage, early on the City recommended that QT develop an enhanced entry feature for the property, so staff was able to work with our Arlington Design Center to come up with some conceptual renderings of sign options. QuikTrip has agreed to install one of these signs at the corner of Road to Six Flags and Cooper Street.

Present to speak in support of this case was Joe Domeier, Real Estate Manager for QuikTrip, 1120 North Industrial Boulevard, Euless. He asked if the substitute landscape plan and the zoning case can be discussed together. Mr. Parajon replied that the two cases will have to be decided separately, but they can be discussed together. Mr. Domeier stated that in Work Session there was a comment made that this Commission does not have the authority to approve the alternate landscape plan if it does not adhere to the spirit of the ordinance, so he wanted to find out from the City Attorney if that is true. Mr. Parajon answered that what he said is that the ordinance allows them to submit an alternate landscape plan that provides an alternative equivalency to what our current rules allow. He stated that it has to meet the intent of that provision and if there is an alternate way proposed to do that, they can make their case to the Commission; however, in the absence of an alternative that achieves that intent, this Commission cannot approve a substitute landscape plan. Mr. Domeier stated that one of the issues brought up by staff, the architecture matching the design element, they have spoken to Zips who has agreed to incorporate more of their design elements into their building and they sent them an elevation just as they were leaving to come to the meeting but it is in black and white. He mentioned that they sent an email requesting them in color and by the time this gets to City Council, they will have the color renderings to staff. He said that they went back to their engineers about the circulation issue and were told that, even though it's not perfect, it's what convenience stores and car washes do. He stated that they think they have an alternative that will work, but he would like to show this to the Commission and staff members that are there. He made a presentation showing the circulation of traffic on the subject site. He mentioned that if the changes they have made don't provide the solution, they will work with staff to make the necessary changes. He said that the car wash is in a location where the vacuums are away from the residential adjacency. He stated that one of the concerns was about the trees and the masonry wall. He mentioned that they aren't removing trees, they are planting a lot of trees. He said that according to ordinance the only requirement between them and the residential is a three-foot berm and three-foot wall or the three-foot berm and three feet of shrubs. He stated that they recognize that more is wanted and they want to give more. He mentioned that they proposed an eight-foot wall between them and the residential, so they would have a good sound barrier. He said that the issue is maintaining the fence, not what material it is. He stated that they want to do a double-sided wood fence. He mentioned that they have hired a landscape architect to do the landscape plan for this site, so that it will be aesthetically pleasing. Chair McGlaun commented on the presentation regarding the landscaping and fencing. He suggested that they could work with staff to address the concerns that cannot be addressed at this meeting, so the Commission will listen to the opposition, give him the opportunity to answer those concerns, and then decide if there should be a continuance.

Present to go on record in support of this case was Cheralyn Armijlo, Glenn Engineering, 105 Decker #910, Irving.

Present to speak in opposition to this case was Alida Sultana, 1501 North Cooper Street. She stated that she is the franchisee of the 7-Eleven store on the northeast corner of Cooper Street and Road to Six Flags. She

mentioned that they have all their money invested in their store as well as a bank loan. She said that they were not expecting such a large competitor as QuikTrip and she does not know where she will stand. She stated that she is worried about her business. She mentioned that 7-Eleven is a large corporation and can put another store anywhere, but this one is her store.

Also present to speak in opposition to this case was Mamun Mehdi, 8224 Ithaca Drive. He stated that he is from the Dare-El-Salam Islamic Center which is a few hundred feet from the proposed QT. He mentioned that his concern is the sale of beer that close to the Center, so he strongly opposes this development.

Also present to speak in opposition to this case was Robert Miklos, Quikway Retail Association, Ltd, 1717 Main Street, Dallas. He stated that they operate a business on the opposite corner from where the QT will go. He mentioned that he is not in opposition to the development of this site and they are looking forward to that development. He said that they are not in opposition to another gas station or retail site there and they don't mind the competition, so he doesn't want them to take their opposition as they don't want the competition. He stated that jobs, job growth, and the redevelopment of that site are all important to Arlington and to the north Texas area. He mentioned that he would encourage the Commission to put this off until November 9. He said that they don't know what the impact of the development and the circulation of traffic will have on Cooper Street and Road to Six Flags. He stated that his request is that the applicant have a traffic impact analysis done because this will go a long way in the Commission knowing what the impact will be to the internal circulation and the intersection of two major arterials. He mentioned that if the Commission doesn't want to require the applicant to do this, they will do it because it is important to them.

Present to go on record in opposition to this case was Iqbal Khan, 1501 North Cooper Street; Alvin Tam Do and Tuan Ngoc Do, 652 West Randol Mill Road.

Mr. Domeier stated that he doesn't have a rebuttal but would like to invite those in opposition to visit with them and they will be happy to address any concerns they have. He mentioned that in regards to the other things discussed tonight, a week doesn't seem like much, but that week pushes them over their deadline with the seller. He asked if there is any way they can get a vote tonight and move the case to City Council with the following: They are going to add the design elements to the car wash, so they match better and they can have an acceptable elevation rendering to present to Council. They are requesting to use cast masonry for the wall on the eastern boundary and they will use whatever color is desired and work with staff to use what is acceptable to them. They can do the street trees and would like input as to the species, so they can incorporate them into the park design. Their Director mentioned to Mr. Domeier that they can negotiate with the seller if needed. Mr. Domeier stated that with the circulation, they can use the conceptual plan because there aren't that many more options, so he is asking that they work with staff prior to Council to resolve this. Commissioner Vinyard commented that they are sensitive to the deadlines, but they have to have in mind the best thing for the conclusion of this and it needs to fit. Chair McGlaun commented that he hopes that the week doesn't put that much pressure on QuikTrip, but they will take it to a vote. Commissioner Fowler asked about staff's position on the traffic study. Mr. Cooper answered that it is an unusual thing for someone else to come in and offer to do a traffic analysis. He stated that when our traffic engineers looked at this development they used their professional judgment based on the current and proposed uses and decided that a TIA was not warranted. Mr. Parajon commented that our threshold in our ordinance is a little higher than some other jurisdictions and this

particular project does not warrant a requirement for that. He stated that the Commission may want to have that information and if there is an adjacent property owner who wants to evaluate this, it is certainly their prerogative, but staff did not require the applicant to provide a traffic study. Chair McGlaun commented that they might want to have a TIA done on their own. He stated that after discussions with staff and the information presented tonight, he feels that the week will be beneficial. Mr. Domeier stated that the inclusion of the street trees discussed tonight eliminates the need for the Substitute Landscape Plan, so they will be dropping that case. Regarding the mention of doing a TIA before the next meeting, Mr. Parajon commented that the questions about internal circulation will not be addressed by a TIA as that is a technical judgment. He stated that what a TIA will do is address an analysis of the intersection which may be the basis of the other property owners concern. He mentioned that it is solely at the discretion of the Commission and if they feel that it will be helpful or necessary to make a decision on the PD zoning case, then they can request it. He said that in the absence of that, if they continue the case and information comes forward that helps them understand that better, they will have to weigh that information whether it comes from the applicant or someone else. He stated that if any of those parties wanting to do this present it to staff ahead of the meeting, so they will have time to evaluate it. Chair McGlaun asked if they make a motion for a continuance would they make a part of the motion that the applicant provide a traffic impact analysis. Mr. Parajon answered in the affirmative. Chair McGlaun commented that the other alternative is that they make a motion for continuance and encourage the applicant to make his own decision in terms of a TIA. He stated that the issue has been raised, but the applicant is confident that it's not an issue. J.D. Dudley, Real Estate Project Manager for QuikTrip, at 1120 North Industrial Boulevard, Euless, stated that one of the first things they did was meet with staff to make sure their drive locations were acceptable, deceleration lanes and right-of-way were dedicated, so they feel they are okay. He mentioned that the concern is coming from across the intersection where Cooper traffic is median bound on both sides and traffic has to go through an intersection to get to his property. He mentioned that they do have access on Road to Six Flags, but as far as a TIA and what it will do, it's more of an internal circulation on the site. He said that they can do an internal evaluation and have it for staff to evaluate before the November 9 meeting; however, a TIA will take longer and they don't want to be pushed to the December P&Z and the TIA will not help this issue. Chair McGlaun commented that even though the site issues don't require a TIA, the opposition has brought up this concern and they might have to address it through the other public hearings, so he would encourage them to consider having one to present later to prove that it is not an issue.

Clete McAlister made a motion to continue Zoning Case PD11-7 to the November 9, 2011, meeting. Seconded by Charla Hawkes Vinyard, the motion carried with a vote of 9-0-0.

CONTINUED to the November 9, 2011, Meeting

- B. Substitute Landscape Plan SLP11-5
(QuikTrip 876-1319 and 1425 North Cooper Street, and 600 West Road to Six Flags Street)

Application for approval of a Substitute Landscape Plan on approximately 5.149 acres currently zoned Office (O), Community Service (CS), and Multi-family (MF-18); generally located south of West Road to Six Flags Street and east of North Cooper Street.

C. Zoning Case SUP11-8
(Lil' Images of Blessings-1178 West Corporate Drive)

Application for approval of a Specific Use Permit for a day care on approximately 0.8 of an acre zoned Industrial Manufacturing (IM); generally located south of Avenue J Street and east of West Corporate Drive

Justin French, Planning Project Manager I/Development, presented this case.

Present to go on record in support of this case were LaWanna Loring and Analita Alexander, 2002 Franklin Drive; Allen Avery, 1180 Corporate Drive West; and Brian Gilchrist, 1652 Ridge Haven Drive.

Maurice Barksdale made a motion to approve Zoning Case SUP11-8. Seconded by Brandon Hill, the motion carried with a vote of 9-0-0.

APPROVED

Being no other business to come before the Commission, Chair McGlaun adjourned the meeting at 7:05 p.m.

Chair

ATTEST:

Secretary to the Commission
APPROVED this 9th day of November 2011